

581. Reasons for bundling. A witness before the Royal Commission on the Marriage Laws, IS68,<sup>1</sup> testified that night visiting was still common amongst the laboring classes in some parts of Scotland. " They have no other means of intercourse/' It was against custom for a lover to visit his sweetheart by day. As to the parents, " Their daughters must have husbands and there is no other \way of courting." This statement sums up the reasons for this custom which, not being a public custom, must have varied very much according to the character of individuals who used it. Attempts were always made to control it by sanctions in public opinion.

582. Public lupanars. Perhaps the most incredible case to illustrate the power of the mores to extend toleration and sanction to an evil thing remains to be mentioned,—the lupanars which were supported by the mediaeval cities. Athenaeus<sup>2</sup> says that Solon caused female slaves to be bought by the city and exposed in order to save other women from assaults on their virtue. In later times prostitution was accepted as inevitable, but it was not organized by the city. Salvianus (fifth century, A.D.) represents the brothels as tolerated by the Roman law in order to prevent adultery.<sup>3</sup> Lupanars continued to exist from Roman times until the Middle Ages. Those in southern Europe were recruited from the female pilgrims from the north who set out for Rome or Palestine and whose means failed them.<sup>4</sup> It is another social phenomenon due to poverty and to a specious argument of protection to women in a good position. This argument came down by tradition with the institution. The city council of Nuremberg stated, as a reason for

establishing a lupanar,  
that the church allowed harlots in order to prevent  
greater evils.<sup>5</sup>

This statement, no doubt, refers to a passage in  
Augustine, *De*

*Ordine* :\* "What is more base, empty of worth, and  
full of vile-  
ness than harlots and other such pests ? Take  
away harlots

from human society and you will have tainted  
everything with

lust. Let them be with the matrons and  
you will produce

<sup>1</sup> Page 172.

<sup>2</sup> *Deipnosophists*, XIII, 25.

<sup>3</sup> *De Gubernat. Dei*, VII, 99.

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\* Weinhold, *D. R.*, II, 22.

<sup>5</sup> Schultz, *D. L.*, 73.

<sup>6</sup> Migne, *Patrol. Latina*, XXXII,